

REMARKS

Claims 8-14 and 20-30 are now pending in the application. Claims 1-7, 15-19 and 22 are canceled. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claims 9-14, 22-23, and 25-26 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The Examiner states that the claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The Applicants respectfully traverse this rejection.

The Applicants request the Examiner to review the following:

Paragraph [0013] which states in part, "To form the red numbers found on the face of a speedometer, for example, a red colored ink layer 24 is printed on a front side surface of the planar sheet 22 as shown in Figure 2A. The different colored ink layers may be applied to the planar sheet using a silk screen printing process or other various known manufacturing techniques." That is, the paint is applied to a lesser degree using a known process.

Paragraph [0014] which states in part, "Rather than forming the outer boundary area 36 as a sharp edge, the outer boundary area 36 is formed as a dispersing dot pattern. The dot pattern includes a plurality of spatially separated dots, where the

spatial separation between dots gradually increases along a direction outwardly from the outer boundary of the layer.”

The excerpts from paragraphs [0013] and [0014] state, in part, that the “dispersing dot pattern” is applied using “a silk screen printing process.” Such silk screen printing process is known in the art of printing.

Regarding the Examiner’s reference to paragraphs [0014] and [0016] of the Applicants’ disclosure, paragraph [0014] explains how “spatial separation between dots gradually increases along a direction outwardly from the outer boundary of the layer.” This is achieved by the same “silk screen printing process” stated in paragraph [0013]. Regarding paragraph [0016], which states in part, “During application of the black colored ink layer 26 over top of the red colored ink layer 24, a downward force reduces the height of at least some of the dots along the outer boundary area of the red colored ink layer.” The downward force naturally occurs during the silk screening process; that is, during application of ink layer 26 (Figure 2B). As Paragraph [0015] states, “As noted above, the black colored ink 26 may be selectively applied to the planar sheet using a silk screen printing process or another known manufacturing technique.” Finally, Figures 2A, 2B, and 3B depict the ink layers and the dispersing dot pattern.

The claim elements of claims 8 and 20 are fully depicted in the Figures and supported as explained above and throughout the specification and drawings. Additionally, through the above explanation, the Applicants believe they have fully addressed the rejection under 35 USC 112, first paragraph, including claims 8 and 20, and respectfully request reconsideration.

REJECTION UNDER 35 U.S.C. § 102

Claims 8-14, and 20-26 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 5,266,427 to Iwase et al. This rejection is respectfully traversed.

Claim 8

The Applicants' claim 8 claims in part, "an underlying layer ...having ... an outer boundary area is formed as a dispersing dot pattern;" and "an outer layer ...wherein at least a portion of the outer layer overlays the underlying layer." USP '427 does not disclose Applicants' above-mentioned claim 8 elements, which are also depicted in Applicants' Figures. The Applicants claim a "dispersing dot pattern" that is not disclosed in the USP '427 figures or written specification. In fact, Figure 9 of USP '427 discloses high and sharp edges, which is entirely different from the Applicants' claim 8. Figure 9 of USP '427 depicts item 32, a red picture layer, on top of item 31, a white picture layer. This is a block effect and is different from Applicants' claimed invention of a dispersing dot pattern. The block effect creates visible step lines on the gauge face, which does not occur with Applicants' claimed invention.

Furthermore, the Applicants claim an "outer layer overlays the underlying layer" such that the underlying layer is formed as a dispersing dot pattern. This is not disclosed by USP '427.

Finally, the Applicants contend that USP '427 discloses a dial board or the like for a tachometer or speedometer (see Background) and more specifically, USP '427 discloses a method for producing such a display board without using any solvent or reactant type diluents (see Summary). USP '427 is not concerned with eliminating

visible step lines on the face of a dial. Figures 12 and 13 of USP '427 further reinforce the use of layers and not dispersing dot patterns.

The Applicants believe claim 8 and all claims depending therefrom are in condition for allowance.

Claim 9

USP '427 does not disclose “wherein the dot pattern includes a plurality of spatially separated dots, such that spatial separation between dots gradually increases along a direction outwardly from the outer boundary area of the first layer,” which applicant claims. In fact, USP '427 does not claim any pattern that “gradually increases ...”

The Applicants believe claim 9 is in condition for allowance.

Claim 10

USP '427 does not disclose “wherein the dot pattern includes a plurality of spatially separated dots having a cylindrical shape, such that ...” Therefore, the Applicants believe claim 10 is in condition for allowance.

The Applicants believe claim 10 is in condition for allowance.

Claim 20

USP '427 does not disclose all of the claim elements of claim 20. Specifically, USP '427 does not disclose “a first layer ... wherein the bottom surface faces the planar sheet and the outer boundary area is formed as a dot pattern;” Figure 9 (and others) of

USP '427 discloses high and abrupt edges of the picture pattern layer (31, 32), which is entirely different from the Applicants' claim 20 (dot pattern). Figure 9 of USP '427 depicts item 32, a red picture layer, on top of item 31, a white picture layer. This is a block effect and is different from Applicants' claimed invention of a dot pattern. The block effect of USP '427 creates visible step lines on the gauge face, which does not occur with Applicants' claimed invention.

Claim 22 has been incorporated into claim 20. USP '427 does not disclose "wherein the dot pattern has a spatial separation that gradually increases outwardly from the outer boundary area of the first layer." (See Applicants Figures 2A, 2B and 3B).

Claim 23

The claimed subject matter of Applicants' claim 23 is not disclosed in USP '427. Specifically, "the dot pattern includes ... spatially separated dots ... such that a radial dimension of the dots decreases in a direction outwardly from the outer boundary area of the first layer." (See Applicants' Figure 3B).

Claim 26

The claimed subject matter of Applicants' claim 26 is not disclosed in USP '427. USP '427 does not disclose "wherein the second layer slopes gradually towards the planar sheet in a direction on increasing distance between dots of the dot pattern. (see Applicants' Figure 2B). Such slope and dispersing dot pattern permits the invention to appear to a user with no visible step lines on a gauge face.

The Applicants believe claim 20, and all claims depending therefrom, to be in condition for allowance.

Claims 8-9, 11, 13-14, 20-21, and 24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 5,247,429 to Iwase et al. This rejection is respectfully traversed.

Claim 8

USP '429 discloses an illuminance adjusting layer (see column 2, lines 14-22 and column 2, lines 38-45). The Applicants' invention, and more specifically claim 8, is not directed to an illuminance adjusting layer. The elements of Applicants' claim 8 are directed to reducing a visible step line where paint layers meet, regardless of whether instrument lighting is on or off.

The Applicants' claim 8 claims in part, "an underlying layer ...having ... an outer boundary area is formed as a dispersing dot pattern;" and "an outer layer ...wherein at least a portion of the outer layer overlays the underlying layer." USP '429 does not disclose Applicants' above-mentioned claim 8 elements, which are also depicted in Applicants' Figures. The Applicants claim a "dispersing dot pattern" that is not disclosed in the USP '429 figures or written specification. In fact, Figure 3 of USP '429 discloses high and hard edges (block layers 32 on top of block layers 31), a structure that is entirely different from the Applicants' claim 8. USP '429 uses a block effect and is different from Applicants' claimed invention of a dispersing dot pattern. The block effect

creates visible step lines on the gauge face, which does not occur with Applicants' claimed invention.

Furthermore, the Applicants claim an "outer layer overlays the underlying layer" such that the underlying layer is formed as a dispersing dot pattern. This is not disclosed by USP '429. The Applicants believe claim 8, and all claims depending therefrom, are in condition for allowance.

Claim 9

USP '429 does not disclose "wherein the dot pattern includes a plurality of spatially separated dots, such that spatial separation between dots gradually increases along a direction outwardly from the outer boundary area of the first layer," which applicant claims. In fact, USP '429 does not claim any pattern that "gradually increases ..." and deals instead with a "density" for light illuminance not dispersing ink layers for elimination of visible step lines on a gauge face.

The Applicants believe claim 9 is in condition for allowance.

Claim 20

Claim 20 has been amended and is believed to be in condition for allowance. Applicants believe that USP '429 does not disclose at least "wherein the dot pattern has a spatial separation that gradually increases outwardly from the outer boundary area of the first layer." (See Applicants' Figure 3B).

Claims 21, 24

Because claim 20 is believed to be in condition for allowance, claims 21 and 24 are also believed to be in condition for allowance.

REJECTION UNDER 35 U.S.C. § 103

Claims 10, 22-23, and 25-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,247,429 to Iwase et al. This rejection is respectfully traversed.

The Examiner has rejected claims 10, 22-23, and 25-26 stating "Iwase teaches the number of rows and interval between adjacent dots becomes small and the are (sic) of the dot is reduced (slope and profile) effect the density and this is an optimal feature, since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. *In re Boesch*, 617 F.2d 272."

The Applicants contend that Iwase USP '429 is directed to light transmittance, unlike Applicants' invention, which is directed to eliminating a visible step line on the instrument face (a mechanical feature, not light). Therefore, the Applicants are not optimizing the Iwase device. The Applicants are not optimizing light transmittance. The Applicants' device solves a different problem and optimizing Iwase will not achieve Applicants' claimed device.

Iwase addresses only the "light transmitting image layer" (column 2, line 37), while the Applicants address the mechanical step lines beyond, or outside of, light transmitting areas. See Applicants' Figure 3B. The dot pattern is at a non-lighted area.

The Applicants believe claims 10, 23, and 25-26 are in condition for allowance. Claim 22 has been canceled (incorporated into claim 20).

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application and pending claims are in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: _____

8/2/06

By: _____



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